

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- x

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

----- x

This document relates to the following case:

City of New York, et. al. v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

----- x

**FIRST SUPPLEMENT TO PLAINTIFFS' PHASE III TRIAL
EXHIBIT LIST**

Plaintiffs filed their Phase III exhibit list on June 26, 2009. *See* No. 1:04-CV-3417, Dkt. # 328 (S.D.N.Y. Jun. 26, 2009). In doing so, Plaintiffs expressly reserved the right to supplement or amend its exhibits. *See* Exhibit List. Accordingly, Plaintiffs hereby notify ExxonMobil that in addition to the exhibits on the Exhibit List, Plaintiffs will add the following Exhibits:

EXHIBIT NO.	DATE	DESCRIPTION	BEG. BATES	END BATES
PL-5489	05/14/2009	Declaration of Andrew E. Schulman, Ph.D. in Opposition to Defendants' Joint Motion to Exclude the Opinion of Plaintiff's Expert Harry T. Lawless	N/A	N/A
PL-5490	06/00/2005	Curriculum Vitae: Andrew E. Schulman	N/A	N/A

EXHIBIT NO.	DATE	DESCRIPTION	BEG. BATES	END BATES
PL-5491	08/00/2001	United States Environmental Protection Agency Publication EPA-815-R-024: Statistical Analysis of MTBE Odor Detection Thresholds in Drinking Water	N/A	N/A
PL-5492	06/12/2000	MANUSCRIPT TITLE: "Implications of a MTBE Consumer Threshold Odor Study for Drinking Water Standard Setting" by Andrew J. Stocking, et al.	N/A	N/A
PL-5493	03/00/2001	ARTICLE: Stocking, Andrew J., et al. "Implications of an MtBE Odor Study for Setting Drinking Water Standards" Journal of the American Waterworks Association, March 2001. pp. 95-105	NYC-SUFFET-000417	NYC-SUFFET-000427

Plaintiffs are emailing such exhibits to counsel for ExxonMobil concurrently with this Exhibit List.

Dated: New York, New York
August 30, 2009

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street
New York, New York 10007
(212) 788-1578

/s/ NICHOLAS G. CAMPINS
VICTOR M. SHER (*pro hac vice*)
TODD E. ROBINS (*pro hac vice*)
JOSHUA G. STEIN (*pro hac vice*)
NICHOLAS G. CAMPINS (*pro hac vice*)
MARNIE E. RIDDLE (*pro hac vice*)

SHER LEFF LLP
450 Mission Street, Suite 400
San Francisco, CA 94105
(415) 348-8300

Attorneys for Plaintiffs